



and the matter in controversy exceeds the sum of \$75,000. The Notice alleges that defendant is “a foreign limited partnership organized and existing under the laws of the State of Pennsylvania, and maintains its principal place of business in the State of Pennsylvania, not having its chief and principal office and place of business in the State of Missouri, and is not a citizen or resident of the State of Missouri.”

The Eighth Circuit has held that limited liability companies and limited partnerships are citizens of every state of which any member is a citizen. *See GMAC Commercial Credit, LLC v. Dillard Dep’t Stores, Inc.*, 357 F.3d 827, 829 (8th Cir. 2004). The defendant, a limited partnership, has apparently addressed its citizenship like that of a corporation, not a limited partnership, and thus it has not alleged its citizenship adequately.

Because it is the defendant’s burden in this case to establish subject matter jurisdiction, *In re Business Men’s Assur. Co. of America*, 992 F.2d at 183, the Court will grant defendant twenty-one (21) days to file an amended petition which alleges facts showing the existence of the requisite diversity of citizenship of the parties. If defendant fails to timely and fully comply with this Order, the Court will remand this matter for lack of subject matter jurisdiction.

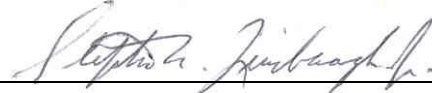
Accordingly,

**IT IS HEREBY ORDERED** that, by February 18, 2021, defendant shall file an amended removal petition which shall allege facts establishing the citizenship of each of defendant’s members.

**IT IS FURTHER ORDERED** that if defendant does not timely and fully comply with this order, this matter will be remanded for lack of subject matter jurisdiction.

**IT IS FURTHER ORDERED** that all other proceedings in this case are  
**STAYED** pending further order of this Court.

Dated this 28th day of January, 2021.

A handwritten signature in dark ink, appearing to read "Stephen N. Limbaugh, Jr.", is written over a horizontal line.

STEPHEN N. LIMBAUGH, JR.  
SENIOR UNITED STATES DISTRICT JUDGE